

Open Meetings Compliance Board Complaint Procedures

Filing a Complaint

The Open Meetings Act lets you file a complaint if you think that the Act might have been violated. Here's how to file:

- Send a letter to this address: Open Meetings Compliance Board, c/o Attorney General's Office, 200 St. Paul Place, Baltimore, MD 21202. The complaint must be signed and include a return address.
- Tell the Compliance Board what public body is involved, what happened, what the date was, and what possible violation you're concerned about. You can include more than one meeting or other issue in a single complaint. You may find it helpful, before you file a complaint, to look over the *Open Meetings Act Manual*, available at this link: <http://www.oag.state.md.us/Opengov/Openmeetings/support.htm>.
- Please be as detailed as you can. Usually, the Compliance Board issues an opinion based solely on the information in the complaint and in the response from the public body. The more information it has, the more focused its opinion can be.
- Identify any document that the public body might possess that you feel would assist the Compliance Board in the review.
- The Compliance Board only has jurisdiction over complaints about possible violations of the Open Meetings Act by public bodies. For example, if you only allege a violation of a local ordinance, or object to a closed meeting held by a single official rather than a public body, the Compliance Board can't address the matter and will return your letter.
- If your complaint seems to fall within the Compliance Board's authority, it will be sent to the public body involved for its response. If the Compliance Board spots issues based on the information in a complaint, even if you don't talk about them, the Compliance Board might ask the public body to respond to those issues too.
- If the Compliance Board concludes that your complaint doesn't provide enough information to process it, you'll be asked for additional information. Make sure you provide the information within 30 days, or else the Compliance Board will dismiss the complaint.

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Responding to a Complaint

- The presiding officer of, or the attorney for, the public body should respond by letter on its behalf. Send the response to this address: Open Meetings Compliance Board, c/o Attorney General's Office, 200 St. Paul Place, Baltimore, MD 21202.
- Respond within 30 days of your receipt of the complaint from the Compliance Board. Please send the complainant a copy of your response.
- Address all allegations in the complaint and any other issues raised by the Compliance Board. If you deny that the Act was violated, explain how the public body complied. If you acknowledge that the Act was violated, explain how the public body has or will change its procedures so as to comply.
- If the Compliance Board asks you for documents like meeting notices or minutes, provide them with your response.

The Compliance Board's Opinion

- Usually, within a month after receiving the public body's response, the Compliance Board issues an opinion. Occasionally, the Compliance Board asks all interested persons to attend an informal conference, so it can get more information before issuing an opinion.
- An opinion of the Compliance Board is strictly advisory. In it, the Compliance Board will say whether it thinks the Open Meetings Act was violated and explain the basis for its opinion. The Compliance Board doesn't have authority to issue orders or impose penalties.
- The Compliance Board opinion is posted on the Web shortly after issuance. You can access any opinion via the following address:
<http://www.oag.state.md.us/Opengov/openmeetings/board.htm>

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